

DOCKET NO.: ISIS-2202

FEB 10 2000
G P1618
TECH CENTER 1600 P.A.T.E.N.T.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Cook

Serial No.: 08/884,873

Group Art Unit: 1618

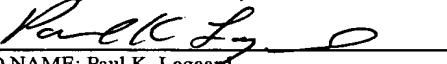
Filing Date: June 30, 1997

Examiner: J. Ricigliano

For: NUCLEOBASE HETEROCYCLIC COMBINATORIALIZATION

DATE OF DEPOSIT: 3 February 2000

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, DC 20231.


TYPED NAME: Paul K. Legaard
REGISTRATION NO.: 38,534

Box NON-FEE

AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- A Preliminary Amendment.
- An Amendment and Response to the Restriction Requirement Dated January 5, 2000.
- An Amendment Supplemental to the Paper filed _____.
- Other: _____

- Small entity status of this application under 37 C.F.R. 1.9 and 1.27 was established in a previous submission.
- A Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- Substitute Pages _____ of the Specification are enclosed.
- An Abstract is enclosed.
- _____ Sheets of Proposed Corrected Drawings are enclosed.
- A Certified Copy of each of the following applications: _____
is enclosed.
- An Associate Power of Attorney is enclosed.
- Information Disclosure Statement.
 - Attached Form 1449.
 - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- Appended Material as follows: _____
- Other Material as follows: _____

FEE CALCULATION

No Additional Fee is Due.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	26	26 (20 MINIMUM)	0	\$9 EACH	\$0	\$18 EACH	\$
INDEP. CLAIMS	3	3 (3 MINIMUM)	0	\$39 EACH	\$0	\$78 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$130	\$0	\$260	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$190	\$0	\$380	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$435	\$0	\$870	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$680	\$0	\$1360	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$925	\$0	\$1850	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:				0			
TOTAL FEE DUE				0			\$

- A Check is Enclosed in the Foregoing Amount Due.
- Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit

account 23-3050. This sheet is provided in duplicate.

- The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- The Forgoing Amount Due for Filing this Paper.
- Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: *3 February 2000*



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Registration No. 38,534

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PATENT

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In re application of:

Cook

Serial No.: 08/884,873

Group Art Unit: 1618

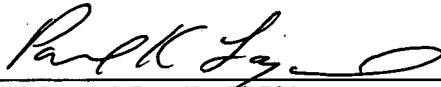
Filed: June 30, 1997

Examiner: J. Ricigliano

For: Nucleobase Heterocyclic Combinatorialization

I, Paul K. Legaard, Registration No. 38,534 certify that
this correspondence is being deposited with the U.S.
Postal Service as First Class mail in an envelope
addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231.

On February 3, 2000



Paul K. Legaard Reg. No. 38,534

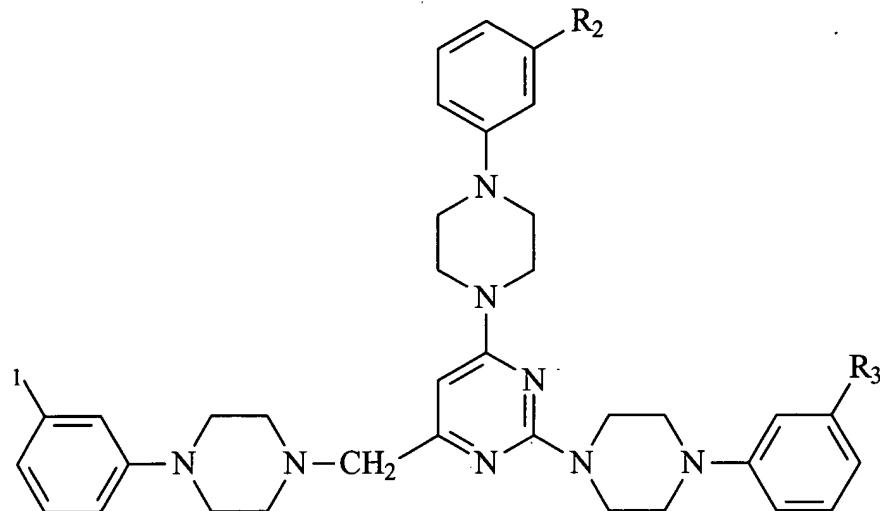
Assistant Commissioner for
Patents
Washington, D.C. 20231

Dear Sir:

RESPONSE TO THE RESTRICTION REQUIREMENT

The present Response is filed in response to the Restriction Requirement mailed January 5, 2000 in connection with the above-identified patent application.

Claims 2-19, 24-26 and 32, drawn to the invention of Group I, are being examined on their merits. The Examiner has requested that Applicants elect species and provide the structures of six compounds within a mixture. Applicants elect species having the structure depicted below, which falls within structure I of claim 32. The library is exemplified in Library 61 in Example 111.



The six species are as follows: 1) R₁ is Cl, R₂ is F and R₃ is Br; 2) R₁ is NO₂, R₂ is Br and R₃ is H; 3) R₁ is CF₃, R₂ is NO₂ and R₃ is Br; 4) R₁ is Br, R₂ is CF₃ and R₃ is Cl; 5) R₁ is H, R₂ is Br and R₃ is NO₂; and 6) R₁ is CF₃, R₂ is NO₂ and R₃ is H.

Applicants submit that the present response is complete and complies with the requirements of 35 U.S.C. § 121.

Respectfully submitted,



Paul K. Legaard
Registration No. 38,534

Date: February 3, 2000

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